

# UN denies complicity in Congo human rights abuses after leaked report

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The United Nations has denied complicity in human rights abuses in the Democratic Republic of Congo (DRC) after its own report was leaked to the press.

Compiled by the UN's "Group of Experts," the lengthy report catalogues the failings of the UN mission to Congo (MONUC). It itemises the UN's apparent complicity in the ongoing violence and the humanitarian catastrophe in the DRC, and the looting of the country's resources. Diplomats at the UN headquarters in New York reportedly tried to delay the release of the report because "there is a lot in there that makes us look complicit," admitted one anonymous UN official.

MONUC is the world's largest UN peacekeeping mission, with a security force of some 17,000 and an estimated cost of more than \$1 billion per annum. Earlier this year, Congo's army, backed by MONUC, launched an offensive against the Democratic Forces for the Liberation of Rwanda (FDLR) in the Kivu provinces of eastern Congo.

The offensive followed a deal to improve ties with neighbouring Rwanda, in which Kinshasa pledged to stamp out the FDLR, and Kigali, under pressure from the United States, arrested General Laurent Nkunda, leader of the National Congress for the Defence of the People (CNDP) to face trial by the International Criminal Court. CNDP units were then integrated into the Congolese army.

The FDLR was formed from the remnants of the Hutu Interahamwe militia that carried out the anti-Tutsi genocide in Rwanda. Many of them fled into Congo when the present Rwandan government came to power. The CNDP was formed by Congolese Tutsis and claims to be defending the interests of Tutsis against attacks by the FDLR.

The report found that "Military operations have...not succeeded in neutralising the FDLR...have exacerbated the humanitarian crisis in the Kivus and have resulted in an expansion of CNDP military influence in the region."

It describes the army operation against the FDLR as a failure, and indicates that though the FDLR was initially dislodged from strategic positions, it has regained much of the territory and retains control of lucrative gold mines in eastern Congo. The group of experts also found that despite the surrender of more than 1,200 of its estimated 6,000 to 8,000 fighters, the FDLR continues to replenish its ranks by recruiting both

Congolese and Rwandan Hutus.

Senior members of the Congolese military continue to support the FDLR they are supposed to be fighting, funneling weapons to it in violation of UN sanctions, while the rebels are busy smuggling gold and other minerals out of Congo. The report charges that government officials in several African countries were working hand-in-hand with the rebels.

The group reports that significant amounts of gold are being trafficked throughout the region, particularly through Uganda and Burundi and on to the United Arab Emirates. "The Group calculates that the FDLR could earn at least several hundred thousand dollars and up to a few million dollars a year from this trade," the report states. The FDLR "has a far-reaching international diaspora network involved in the day-to-day running of the movement; the coordination of military and arms-trafficking activities and the management of financial activities."

It was previously believed that the FDLR's main source of income was from minerals, but the report argues that the international diaspora is a crucial source of support. Investigators analysed telephone logs of senior rebel commanders showing regular contact with individuals, government officials and charities in at least 25 countries in North America, Africa and Europe.

Some of the CNDP units hastily integrated into the Congolese army are under the command of General Bosco Ntaganda, who is wanted by the International Criminal Court for alleged forced enrolment of child soldiers in 2002-2003. MONUC officials have denied Ntaganda's involvement in the operations against the FDLR, but the report found that he had ordered troop deployments, has established a parallel taxation scheme in CNDP-controlled areas taking in \$250,000 per month and has centralised control of hidden weapons caches.

"General Bosco Ntaganda was enforced by both Kinshasa and Kigali as the de facto military head of the CNDP, with specific instructions to manage and control former CNDP elements integrated in the [army]," the report says. It accuses the integrated CNDP units of widespread abuses including killings, rape, torture, forced labour, looting and extortion. "Ex-CNDP units have also forcibly displaced large numbers of civilians...in order to find grazing areas for cattle being brought

in from Rwanda,” it states.

Ntaganda’s men were deployed in some of the most lucrative mining areas, which they now control. The CNDP has control of Bisie, one of the region’s largest tin-ore mines, which accounts for 70 percent of North Kivu province’s output. Local commanders at the Bisie tin mine can earn as much as \$60,000 a year by taxing the tin-ore mining. A military operation to protect the civilian population in the Kivu provinces has instead simply replaced the leading commander. The depredations inflicted on civilians have continued under the auspices of the UN.

Jason Stearns, a Congo analyst, noted that the report points to a “complete lack of transparency” in the mineral trade in the DRC. “This allows many actors to continue to buy tin and gold from areas controlled by rebel groups—thereby financing these rebels groups,” he said, adding, “They have implicated some of the most important gold dealers in DR Congo, in Burundi and in Rwanda—these are very high level officials involved in this.”

The report cites British metals group AMC and Malaysian Smelting Corporation (MSC) as being among the persistent offenders. Global Witness is urging states where named companies are domiciled to hold these operators to account. Campaigns director Gavin Hayman said, “It is extraordinary that the UK government has still not taken any effective measures against the British companies and UK nationals involved in this trade.”

The UN’s mission in the Congo serves the interests of the major powers and mining companies in their pursuit of the world’s resources.

In something of an understatement of the situation, the report states, “The Group...underlines the possible contradiction within MONUC’s mandate to protect civilians on a priority basis, and that of providing logistic support [to the army], while the latter continues to commit abuses against the civilian population.”

MONUC’s role is to support the government of Joseph Kabila. The UN provided \$500 million for the presidential elections, most of which came from the US and the European Union, which have long-standing interests in Congo and viewed a successful election as the best way of ensuring an air of legitimacy for their continued domination of the country. Writing in the *Guardian*, Richard Dowden, director of the Royal Africa Society, notes that had Kabila lost the election he too could have faced trial in the International Criminal Court like his opponent Jean Pierre Bemba.

Kabila met Secretary of State Condoleezza Rice in Addis Abba, Ethiopia, in September 2007. Rice also secured the agreement of Uganda’s president Yoweri Museveni and the DRC government that they would both cooperate to eliminate Nkunda, which would then open up an area that is rich in natural resources to US companies. The fighting in Congo’s mineral-rich northeastern Kivu provinces has raged on and off as rivalries between the major powers and their local proxies

have escalated. Rampant corruption and humanitarian crisis are byproducts of these powerful interests competing for control of the region’s resources.

The US has been unable to completely impose its will in DRC, either by force or persuasion. India, Russia and particularly China have emerged as serious rivals. China’s economy needs huge supplies of raw materials, and it has established itself in Congo by providing \$8 billion for infrastructure projects, including mining. This deal has given China access to huge supplies of cobalt and copper.

Western governments, the UN and the World Bank have long overlooked fraud, corruption and other irregularities in Congo mining contracts because they allowed the systematic looting of the country’s resources by Western companies. However, Kabila’s government took the opportunity of the Chinese investment for a major review of mining contracts to renegotiate better terms and terminated some contracts with US, European and Australian companies in favour of Chinese firms.

Following the announcement of the Chinese investment, Kabila has been courted by every government that fears its interests in the Congo may suffer. Invitations were immediately extended for visits to Washington, Russia, India and ex-colonial master Belgium.

The report’s findings support previous estimates that the UN military operations have inflamed the violence in eastern Congo, resulting in the displacement of around 1 million villagers. Human Rights Watch said it had documented the deliberate killing by Congolese soldiers of at least 270 civilians in one area—mostly women, children and the elderly—who were decapitated, chopped to death by machete, beaten to death with clubs or shot as they tried to flee.

Earlier this year, the UN special envoy for the Great Lakes of Africa, former president of Nigeria Olusegun Obasanjo, gave an indication of where the UN’s priorities lie when he wrote a report on the humanitarian situation in DRC. “While we should not downplay the humanitarian consequences of those operations, it is important that we continue to support the Congolese government in their resolve,” he said.



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